

SELECT COMMITTEE ON
INTELLIGENCE

UNITED STATES SENATE



Post-Hearing Questions for the Record for

John L. Ratcliffe

Upon his nomination to be

Director of the Central Intelligence Agency

Question from Chairman Cotton

QUESTION 1: For decades the United States retained primacy in space. However, over the last several years, both China and Russia have made great strides and now could be considered near peer competitors. They are both actively militarizing space by putting space weapons on orbit. The Intelligence Community needs to talk more about this threat and publicize their bad behavior.

A. How do you see the Russian and Chinese space threat?

We are in a new space race, one that in many ways is far more dangerous and consequential than the competition of the Cold War. The Russians have ramped up their space warfare capabilities over the past decade as Moscow seeks to regain Soviet-era capabilities that were lost in the aftermath of the Cold War. We can see that threat in examples such as Russia's reported work on a nuclear anti-satellite weapons program. At the same time, China is developing increasingly capable counter space weapons, including anti-satellite systems designed to disrupt or destroy U.S. satellites essential for communication, navigation, and surveillance.

We need to closely monitor and counter these threats, and I believe that is core to CIA's and the IC's mission. As DNI, I welcomed the Space Force as the 18th member of the intelligence community and underscored my commitment to ensuring space remains a free and safe domain for America's national security interests. I pledge to ensure CIA's robust collaboration with the national security space enterprise and America's private sector.

B. If confirmed, do you commit to making this a point of emphasis in the 2025 Annual Threat Assessment?

I commit to working with the Office of the Director of National Intelligence to emphasize space threats during the Annual Threat Assessment (ATA) public presentation to the Committee and in the IC's written report—consistent with protecting sources and methods. The ATA provides a valuable opportunity for the IC to educate the American people on the gravity of this threat to U.S. interests.

Questions from Vice Chairman Warner

QUESTION 2: Should the U.S. be more pro-active in undertaking offensive cyber actions against state and non-state adversaries who are using cyber, including ransomware, to target critical U.S. infrastructure?

I believe that one of our nation's greatest national security threats arises from the rapidly evolving cyber capabilities of our adversaries, including nation states, terrorists, and transnational criminals. It is essential that we focus on emerging cyber capabilities, both as an intelligence target and as a tool for intelligence activities. That includes the development of cyber capabilities that would position the U.S. Government to take offensive action swiftly and decisively if needed, and we must have those capabilities at the ready and not years away in development. If confirmed as CIA Director, I am committed to working with my national security partners to advance the U.S. Government's development of offensive cyber capabilities. Whether and under what circumstances those capabilities should be deployed is a question of policy, in furtherance of which I would ensure that the CIA provided timely, accurate, and fact-based intelligence analysis, according to intelligence priorities set out by the President.

QUESTION 3: Do you believe that deterrence is achievable in cyberspace?

I do, but we must keep pace with the speed of emerging cyber technologies.

QUESTION 4: What are the potential risks of escalation in cyberspace – and how vulnerable are we to adversarial retaliation and what can we do about it?

Cybersecurity is critical to the safety and security of the American people. Our adversaries are already engaging in cyberattacks and operations against the United States and our citizens with increasing frequency and severity for the purpose of political, military, or economic benefit. In the context of cyber escalation we must be prepared for cyberattacks at a scale and pace we have not previously experienced. If confirmed as CIA Director, I would work to advance the security of our networks and those critical to our nation's security, including through enhancing the reciprocal exchange of cyber intelligence information with private sector entities and through the recruitment and retention of a highly skilled cyber workforce.

Questions from Senator Wyden

QUESTION 5: In December 2024, the Department of Justice Office of the Inspector General (OIG) released “A Review of the Department of Justice’s Issuance of Compulsory Process to Obtain Records of Members of Congress, Congressional Staffers, and Members of the News Media.”

A. While DNI, were you aware of any efforts to collect communications records of congressional Members and staff? If yes, please describe your role.

No, I was not aware of any such effort.

B. The OIG concluded that the Department’s actions regarding congressional Members and staff “implicated the constitutional rights and authorities of a co-equal branch of government.” It further stated:

“[W]e believe that using compulsory process to obtain such records when based solely on the close proximity in time between access to the classified information and subsequent publication of the information— which was the case with most of the process issued for non-content communications records of congressional staff in the investigations we examined—risks chilling Congress’s ability to conduct oversight of the executive branch because it exposes congressional officials to having their records reviewed by the Department solely for conducting Congress’s constitutionally authorized oversight duties and creating, at a minimum, the appearance of inappropriate interference by the executive branch in legitimate oversight activity by the legislative branch. Moreover, even non-content communications records—such as those predominantly sought here—can reveal the fact of sensitive communications of Members of Congress and staffers, including with executive branch whistleblowers and with interest groups engaging in First Amendment activity.”

Do you agree with the OIG’s concerns that the collection of communications records of congressional Members and staff raises constitutional concerns, particularly when, as in this case, the collection was based solely on those Members’ and staff’s exercise of their constitutionally authorized oversight duties? If yes, how would you respond to an effort to collect such records in a similar situation?

I am not familiar with the underlying facts and circumstances of the DOJ OIG review, nor have I read the report in detail. As Director of the CIA, it would not be appropriate for me to take a position on the conclusions reached by the DOJ OIG regarding the actions of another agency. I believe that it is essential for Congress to be able to conduct its legitimate oversight activities, including engagement with whistleblowers and others engaged in First Amendment-protected activity. If confirmed as Director of the CIA, I commit to ensuring that CIA's collection activities are conducted in accordance with all applicable law and policy.

C. Do you support the policy changes described in the OIG Review? Do you believe further policy changes should be made?

To my understanding, the policy changes described in the OIG Review are related to law enforcement and investigative steps taken by the Department of Justice, for which I would defer to the Department of Justice.

D. Do you agree that Congress should be notified prior to any such collection? If yes, who in Congress should be notified?

I defer to the Department of Justice regarding notification of law enforcement activities. With respect to CIA's intelligence activities, I am committing to keeping the intelligence committees informed, consistent with the protection of sources and methods, as required by the National Security Act.

E. Do you agree that the government should inform the judge issuing an order for compulsory process or a non-disclosure order that the targets are congressional Members and staff so that the judge can consider the constitutional implications?

I defer to the Department of Justice for their determination of what information must be made available to a court considering any such order, if one is sought.

QUESTION 6: While DNI, were you aware of any efforts to collect communications records of journalists? If yes, please describe your role.

No, I was not aware of any such efforts.

QUESTION 7: In July 2021, the Department of Justice announced a policy restricting use of compulsory process to obtain reporter information. In October 2022, the Department formalized and expanded those protections. Do you support this policy? Do you believe it should be modified in any way?

The Department of Justice (DOJ) policy referenced appears to relate to law enforcement and investigative steps taken by the DOJ, for which I would defer to the DOJ.

QUESTION 8: Based on your observations as DNI, what would be your priorities for declassification if confirmed? To the extent details are classified, please provide a detailed classified response.

Declassifying products demonstrates to the American people the IC's commitment to keeping the public informed of the activities of its government in a manner consistent with national security. If confirmed I am committed to reviewing the CIA's declassification process and will take any steps needed to ensure it is streamlined and transparent.

I am aware that the Intelligence Community has an established set of policies that conform to executive orders on classification and that each element, including CIA, develops approved Security Classification Guides that document what should be classified, the level of classification, and the harm to national security—particularly sources and methods—if that information is revealed.

QUESTION 9: Do you agree that Salt Typhoon represents a serious threat to U.S. national security? If yes, would you use your voice in the Cabinet and at the National Security Council to advocate for legislation to strengthen the cybersecurity of the telecommunications industry?

SALT TYPHOON's compromise of major global telecommunications providers should serve as yet another wake-up call to the threat posed by cyber espionage, particularly from the PRC. Our adversaries are engaging in cyberattacks and operations against the United States and our critical infrastructure with increasing frequency and severity in order to gain political, economic, and military advantages.

My role as CIA Director will not be to recommend specific policies and legislative proposals, but I will ensure the Agency presents the President and Congress with the best possible intelligence to make informed policy decisions. I believe the CIA and broader IC must work with the private

sector to share our understanding of foreign cyber threat actors and any indicators of compromise. I look forward to learning more about CIA's engagement and exchange of information with private sector cybersecurity experts.

QUESTION 10: You testified that you would tell “truth to power.” Please provide examples where you declassified intelligence or articulated a disagreement with an intelligence assessment in such a way that your actions were in conflict with the positions of the President.

I previously served as the DNI under President Trump. In that role, I regularly briefed the President on national security matters. Throughout that time, I delivered the unfiltered views of the IC to the President irrespective of policy preferences or political views. As Director of the CIA, I will continue to provide unvarnished assessments to the President.

Questions from Senators Heinrich and Wyden

QUESTION 11: You testified that, while you would accede to the Committee's requests to answer questions in open session, it was still your preference not to. You also stated that other countries do not require intelligence leaders to testify in public.

A. Do you appreciate the critical importance of open hearings to the oversight responsibilities of Congress under the U.S. Constitution, as well as to the American principle of democratic accountability?

Yes.

B. You testified that one of your goals if confirmed would be to reestablish public trust in the Intelligence Community. Do you see public appearances and responses to questions as part of that trust-building effort?

Yes.

C. You expressed concern about being “put on the spot” in open session. For many decades, U.S. intelligence leaders have testified in open session and negotiated the line between classified and unclassified information. Are you less capable than your predecessors in this regard?

I testified that I would appear before the Committee to answer questions in the open session of the worldwide threat hearing and other hearings as appropriate.

Question from Senators Heinrich, Ossoff, and Wyden

QUESTION 12: The Reforming Intelligence and Securing America Act (RISAA) that reauthorized Section 702 of FISA included an expanded definition of electronic communications service provider. According to the Department of Justice and the Committee leadership, this language was intended only to encompass the kind of provider at issue in a FISA Court/ FISA Court of Review case, the opinions of which were authorized for public release on August 23, 2023.

The Committee passed language in the Fiscal Year 2025 Intelligence Authorization Act that would have narrowed the RISAA language to bring it into conformity with its actual purpose, as articulated by the Department of Justice and Committee leadership. Do you support the Committee's effort to ensure that statutory FISA authorities are consistent with their national security purpose and not unnecessarily broad?

I agree that FISA 702 collection should not be “unnecessarily broad,” and the IC should maintain robust guardrails to protect U.S. civil liberties while preserving the core national security value of the program. I would need to consult with CIA's Office of General Counsel and the Department of Justice on this—and any—issue regarding statutory interpretation.

Question from Senator Ossoff

QUESTION 13: Do you believe it is appropriate to conduct intelligence activities, including collection and covert action, to influence or interfere in the elections of our NATO or other democratic allies? Will you commit to keeping the Committee fully and currently informed of any such effort?

If confirmed as CIA Director, I will oversee CIA operations as authorized and directed by the President. I will provide counsel to the President and senior policymakers by presenting them with the best possible intelligence to make informed policy decisions, including the potential impact of operations to our relationships with important allies. I commit to keeping the Committee fully and currently informed of CIA's intelligence activities, including covert action, in accordance with federal law.